

**BRENDAN GEORGE O'CONNOR'S RESPONSE TO  
IVI-IPO'S 2004 MWRD CANDIDATE QUESTIONNAIRE**

**Section 1**

**Date:** January 16, 2004

**Party:** Democratic

**Name:** Brendan George O'Connor

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**Campaign Manager:** Emmet Welch

**Numer of Petition Signatures Filed:** 13,400

**Number Required:** 5154

Please use an additional sheet to complete the following background information:

**A. Elective or appointive public or party offices previously held including dates.**

None.

**B. Other elective offices for which you have been a candidate.**

None. This is the first time I have ever sought elective office.

**C. Principal business, education, professional and civic activities of the past ten years.**

**Business**

Attorney, Quarles & Brady LLP, 2002-Present.

- Practice focuses on commercial litigation in federal and state court with concentration on business disputes and land use issues.

Police Officer, Metropolitan Water Reclamation District of Greater Chicago –September, 1997 to April, 2002.

- Secured and maintained District property against terrorism, illegal entry, vandalism and theft.

University of Illinois Legislative Staff Intern – August, 1996 to August, 1997.

- Worked as Issues Staff member to Illinois House of Representatives members Carol Ronen and Constance A. “Connie” Howard, as well as the House leadership, in providing constituent service and introducing legislation into general assembly.

**Education**

Loyola University of Chicago School of Law, JD	Class of 2002
Loyola University of Chicago, BA, Philosophy, <i>Cum Laude</i>	Class of 1996
Loyola Academy, Wilmette, IL	Class of 1992

**Association Memberships/ Civic Involvement**

- Member of Rogers Park Community Council
- Member of Chicago, Illinois and American Bar Associations
- Member of City Club of Chicago
- Back-up member of Fireman & Oilers Union, Local 7
- Parishioner, St. Ignatius Catholic Church

**D. What subjects have you studied and what experience have you had that will be most helpful to you in the office you seek?**

I worked at the MWRD for nearly five years as a police officer. My duties included patrolling many of the District’s plants and property throughout Cook County. My time as an employee at the District provides me with knowledge of the District’s property, operations, and needs, especially in the area of water treatment plant security and safety. In addition, as a former employee, I am sensitive to the needs and concerns of District employees.

As the main part of my duties as a University of Illinois Legislative Staff Intern, I worked on the Issues Staff of the Democratic leadership in the Illinois House of Representatives. As an Issues Staff member, I served on several House committees, assisted in introducing legislation and handled constituent service for several House members, including State Representative Carol Ronen and State Representative Constance A. “Connie” Howard. This experience allowed me to learn first-hand the relationship between two separate bodies of government, the Illinois House of Representatives and the MWRD.

As the creation of the state legislature in 1889, the MWRD is intertwined with the legislature in that significant portions of the District’s operations, especially in the areas of pensions, require the approval of the legislature. My experience in Springfield has

provided me with the working knowledge of the needs of the District in Springfield, as well as the relationships that will be important as a Commissioner who will actually lobby members of the Illinois House on behalf of the District.

**E. Activities for other candidates. Please be specific.**

- Richard M. Daley for Mayor -- 1995, 1999 and 2003.
- Patrick J. O'Connor for Alderman – 1995, 1999 and 2003.
- Jack Fleming for Judge, Volunteer.
- Daniel Lynch for Judge, Volunteer.
- Thomas P. Needham for State Representative, Full-Time Campaign Staff.
- Dick Devine for Cook County State's Attorney, 1996, Full-Time Volunteer.

I have volunteered on nearly every election, primary and general, from 1995-Present. This activity has included going door-to-door for numerous democratic candidates, writing "friend-to-friend" letters, telephone banking and working at a polling places on election day.

**F. Please list all endorsements you have received so far.**

- Alderman Patrick J. O'Connor and the 40<sup>th</sup> Ward Regular Democratic Organization

**G. As concisely as possible, please state why you feel you should be endorsed over the other candidate(s). What goals for the office you seek are most important to you personally?**

I should be endorsed over the other candidates based on my unique combination of working "hands on" at the District, having legislative experience in Springfield and having the legal training to be able to critically and responsibly evaluate issues for the District.

Currently, there are no attorneys who serve on the Board of Commissioners, yet, in 2003, the District spent over \$5,000,000 on legal-related expenses. Commissioners have significant involvement in the operation of the Law Department and it makes practical, professional and economic sense to have a licensed attorney on the Board of Commissioners.

**What goals for the office you seek are most important to you personally?**

**Water Filtration and Plant Security**

I was a police officer at the MWRD both before and after 9/11. This tragic event exposed the need to re-evaluate the security measures that are in place to ensure that the MWRD's facilities and operations are as safe as they possibly can be to outside threats such as terrorism.

### **Eliminated Culture of Tolerance Regarding Sexual Harassment.**

In November of 2002, numerous allegations of sexual harassment surfaced at the MWRD. While not a direct victim of such harassment, while employed at the MWRD, I witnessed a “culture of tolerance/ignorance” surrounding sexual harassment. Not only was the unfortunate practice tolerated, it was often committed by individuals in supervisory capacities.

Not only is sexual harassment wrong, it is illegal. Aside from the impact on the individual victims and overall employee moral, there is also a potentially very serious financial side. If the culture of tolerance is not wiped out completely, the MWRD is at risk of facing a class-action lawsuit, the result of which could cost several millions of dollars to settle charges that could otherwise properly have been avoided.

A process must be put in place whereby if an employee who feels that she/he is a victim of sexual harassment, they can report the contact to an individual/department, other than their own supervisor. This department/individual could then fully investigate the allegations and the employee would not have to fear retribution. There must be a zero-tolerance policy towards sexual harassment.

### **Continue Aggressive Lobbying Efforts for Funding for Completion of the Tunnel and Reservoir Project (TARP)**

While drilling for TARP, a/k/a “Deep Tunnel,” was completed in December, 2003, the building of reservoirs is scheduled through 2017. The MWRD must have a vision in place whereby it works with state and federal officials to insure that it receives the financial support necessary to continue its construction, maintenance and operations into the future.

### **Push for aggressive fiscal responsibility, accountability and cost control such that the District can maintain its excellent bond rating status.**

#### **H. Please outline the place of patronage, personnel codes, race, gender, and sexual orientation in establishing criteria for hiring and promotion public employees.**

Patronage has absolutely no place at the MWRD. Beginning in the 1960s, and continuing through the 1970s, the MWRD and the legislature in Springfield developed a civil service statute for the hiring of personnel at the MWRD. Job openings are posted in the Public Service Office and on the District’s website. Applicants who are qualified for a specific position take an examination which is either oral, written or a combination thereof. An eligibility list is then posted with the applicants who have passed the exam. The General Superintendent, in conjunction with the recommendation of the department heads, and the Equal Employment Opportunity department are responsible for the hiring of qualified applicants from these eligibility lists.

Commissioners of the MWRD do not hire job applicants, other than those personnel who work in the individual Commissioner's offices.

The District should strive to hire the most qualified applicants, while ensuring that there is an equal balance of job offerings to women and minorities. The District should promote employees from within the District. This process fosters a sense of loyalty and dedication of employees who understand it is possible to work their way up through the ranks.

**I. What is your campaign budget? How much have you raised to date?**

The campaign budget is approximately \$60,000. I have committed approximately \$25,000 of my own money to the budget and to date, have raised approximately \$15,000.

**J. How many people are your campaign staff? How many volunteers on your list?**

We have two paid campaign staff members and several hundred volunteers.

**Section II**

**1. Should the Water Reclamation District be a separate special government unit or should it be subordinate to the County Board?**

The MWRD should be a separate governmental unit and should not be subordinate to the County Board. The MWRD was created by the State Legislature in 1889 as a separate and distinct governmental body, with a mandate to protect the drinking water supply. The legislation creating the MWRD provided that the MWRD be its own taxing body separate and distinct from city and county entities, thus allowing it to solely focus on the crucial task of protecting the drinking water supply of a major metropolis that is now Chicago, as well as its surrounding suburbs.

The MWRD has a nearly \$1 billion a year budget with over 2,200 employees. The sheer size of the MWRD's budget and its number of employees dictates that it remain its own entity. With all due respect to the County Board, it is facing its own challenges in effectively managing what is already under its control. Bringing the MWRD under one taxing entity with the County Board would not only negate the original charter of the MWRD, but it would also put at risk the focus of the MWRD's priorities and risk the financial mismanagement and lack of accountability that a governmental entity of that size would be susceptible to.

**2. Should Commissioners be elected:**

- a. At-Large?**
- b. By District?**
- c. By Cumulative Voting?**

Commissioners should continue to be elected at-large. Electing Commissioners from geographical districts risks individual Commissioners taking a parochial or “my-district-only” view towards the MWRD, rather than a county-wide view.

**3. Do you have a business relationship with any entity doing business with the MWRD or other governmental bodies in Cook County?**

I do not have a business relationship with any entity doing business with the MWRD or any other governmental body in the City of Chicago or Cook County.

**4. Will you accept or have you accepted campaign donations from current or potential suppliers or employees of the District?**

I have not accepted campaign donations from current or potential suppliers of the District or its employees. I am very sensitive to any impropriety or appearance thereof with respect to quid pro quo political donations. I will monitor all donations to my campaign and will refuse any donations which would have the potential to embarrass me and/or the District.

- 5. a. In what circumstances should the District contract for outside professional services?**  
**b. In what circumstances should competitive bidding for contracts be required?**  
**c. Please comment on any existing abuses.**

The District should contract for outside services when its own staffing availability and expertise cannot best provide for the services required. For example, in relation to legal services, if the District finds itself in a situation where it needs to defend itself and its own legal staff either does not have the resources or expertise to aggressively and adequately represent itself, it may make sense to contract out for these services.

Unless the needs for outside professional services is so unique that only one entity can provide it, all contracts for outside services should be competitively bid. Additionally, the award of such contracts should be designed to include sufficient representation of MBE and WBE contractors.

**6. Should MWRD tradespersons be paid the prevailing wage rate?**

Yes. As the backbone of the infrastructure of the MWRD, tradespersons should definitely be paid the prevailing wage rate.

**7. Do you favor permitting MWRD employees to hold other public sector employment concurrently?**

No. MWRD employees should not hold other public sector employment concurrently. However, I am not opposed to MWRD employees who are active in public service in their community, such as school or library board and community counsel involvement.

**8. Do you favor permitting MWRD employees to have outside employment or contracts with entities which do business with the District?**

No. It is not appropriate for MWRD employees to have outside employment or contracts with entities which do business with the District.

**9. Is the District in good financial conditions? Please comment on both expenditures and sources of revenues.**

Yes. Overall the District is in strong financial condition. One area of concern that I have is with respect to the operations and oversight by the current Commissions of the Law Department. Currently, there are no attorneys on the Board of Commissioners at the MWRD. The Board has significant involvement in the administration of the MWRD's legal budget, especially in the area of settlement of lawsuits and contracts with outside firms for legal representation. With a combined legal budget of over \$5,000,000, a Commissioner, who is also a licensed, practicing attorney, would provide valuable insight into ensuring that decisions are made in a legally and fiscally responsible manner.

**10. a. What should be the MWRD's role and policy on lakefront, riverfront and canal development?**

The MWRD should take a leading role in any lakefront, riverfront and canal development. The MWRD should give first priority to public-use development, such as parks and nature conservatories. To the extent the MWRD leases its land for corporate or residential use, it must do so in a manner that ensures that no pollutants or toxins be discharged into the canalways.

**b. What responsibility should it have for planning or monitoring such development?**

The MWRD should work with other municipalities in striving to dedicate as much of its useable land to public use. When it comes to private use and development, the MWRD must be the primary watchdog to ensure that the land is being used in an environmentally responsible manner.

**11. a. Do you support public access to the Chicago River and should access be a priority for the MWRD?**

Yes. I do support public access to the Chicago River and it should be a priority for the MWRD. The Chicago River has long suffered from a reputation of being dirty and unclean. The MWRD has done an excellent job of cleaning up the Chicago River. Canoe launches, such as the ones on the North Branch at Addison and at Oakton, are prime examples of what the MWRD should do in order to allow public access to the Chicago River in an environmentally conscious manner.

**b. Do you support the recent agreement between the district and the property owners on the north branch of the river ?**

Yes and No. The issues surrounding homeowners and their private docks is a complicated one which requires compromise on both sides. First and foremost, any docks that are currently in place and any work done on them must be done in a way that makes the docks not only safe for the dock-users, but also sensitive to the impact on the underlying District property and canalways.

There is no doubt that having a dock attached to a home will increase the market value of that home. Consequently, the MWRD should receive a user fee. However, there needs to be a sensible cap on this fee, so that it is not an unfair burden to homeowners.

Perhaps most important, and the issue that was not provided for in the recent agreement, is a senior citizen exemption to the fees imposed on homeowners. Many seniors live on fixed incomes and it would be unfair to impose such a fee on them. Therefore, there needs to be a Senior Citizen Exemption added to this agreement.

**12. Are present systems for monitoring and eliminating water pollution from industrial and domestic waste adequate and appropriate?**

Yes. While the MWRD's monitoring of industrial and domestic waste discharge and monitoring of water quality meet or exceed USEPA standards, the MWRD must remain vigilant in responding to USEPA's move towards increased quality of bio-solids that are ultimately used as fertilizer.

**13. Should the MWRD assume responsibility for solid and other wastes in addition to its current responsibilities to prevent water pollution? If so, what should be the scope of the responsibility and how should it be exercised?**

No. The MWRD's current focus is to protect the drinking water supply and to ensure the management of rain water and flood control. These responsibilities keep the MWRD plenty busy. I do not see how, what would essentially amount to doubling the MWRD's responsibilities with respect to waste, would improve its efficiency and overall service.

**14. How do you propose to address issues of flooding and pollution before TARP is completed?**

The MWRD must work in conjunction with the newly created City of Chicago Department of Water Management (a merger of the water and sewer departments) as well as with Cook County and local municipalities in an education program designed at informing individual citizens of how they can help prevent flooding. The disconnecting of downspouts is critical in this process. Additionally, the use of asphalt material that allows for "porous" alleyways, that will absorb water in a sponge-like fashion, as opposed to the water going directly into sewers, must be looked at very seriously.

**15. What precautions, if any, do you believe should be implemented to protect the environment surrounding the TARP waste water reservoirs?**

The analysis of safe oxygen levels and prevention of odor generation is perhaps most critical. To accomplish this, the MWRD must maintain a rigorous monitoring of ambient air around reservoirs and ground water to ensure that no contaminants will pollute the water supply. Additionally, landscape berms around plants and reservoirs will reduce visual pollutants.